

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK  
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In re:

DANIEL T. MENEZES and  
CAROLINE MENEZES,

Debtors.

-----X  
SIR/MADAM:

**Hearing Date: 5/18/16 @ 9:30 a.m.**  
ID#: 11-2671938

Chapter 7  
Case No.: 15-72109-reg

**NOTICE OF MOTION FOR AN ORDER  
TO APPROVE EMPLOYMENT  
OF COUNSEL FOR TRUSTEE**

PLEASE TAKE NOTICE that upon the annexed application of Richard L. Stern, Chapter 7 Trustee, a hearing will come on to be heard before the Honorable Robert E. Grossman, United States Bankruptcy Judge, at chambers, United States Bankruptcy Court, Long Island Federal Courthouse, 290 Federal Plaza, Room 860, Central Islip, New York 11722, on the **18<sup>th</sup> day of May, 2016 at 9:30 a.m.** pursuant to 11 U.S.C. Sections 330(a)(3)(F). for an Order approving employment of Macco & Stern, LLP as attorneys to the Trustee, and granting the trustee such other, and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the proposed Order must be in writing and filed with the Clerk of the Court, United States Bankruptcy Court, Eastern District of New York, 290 Federal Plaza, Central Islip, New York, 11722, (a)(i) through the Bankruptcy Court's electronic filing system (in accordance with General Order M-242), which may be accessed (with a password which is available by contacting the Bankruptcy Court's technical assistance at 631-712-6200, Monday through Friday, 8:30 a.m. to 5:00 p.m. ) through the Internet at the Bankruptcy Court's website: [www.nyeb.uscourts.gov](http://www.nyeb.uscourts.gov) using Netscape Navigator software version 3.0 or higher, and (ii) in portable document format (PDF) using Adobe Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the objection in PDF format on a diskette in an envelope with the case

name, case number, type and title of document, document number of the document to which the objection refers, and the file name on the outside of the envelope; or (c) if a party is unable to file electronically or use PDF format, such party shall submit the objection on a diskette in either Word, WordPerfect, or DOS text (ASC II) format. An objection filed by a party with no legal representation shall comply with section (b) or (c) as set forth in this paragraph. A hard copy of the objection, whether filed pursuant to section (a), (b), or (c), as set forth in this paragraph, shall be hand-delivered directly to the Chambers of the Honorable Robert E. Grossman so as to be received by Richard L. Stern, Chapter 7 Trustee, 2950 Express Drive South, Suite 109, Islandia, New York 11747, Attn: Richard L. Stern, Esq. no later than **May 13, 2016**.

**PLEASE TAKE FURTHER NOTICE** that opposition papers, if any, must be served and filed at least 3 business days before the return date of this hearing.

DATED: Melville, New York  
April 18, 2016

YOURS ETC.,

By: /s/ Richard L. Stern  
RICHARD L. STERN  
Chapter 7 Trustee  
Macco & Stern, LLP  
2950 Express Drive South  
Suite 109  
Islandia, NY 11749  
(631) 549-7900

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

11-2671938

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In re:

Chapter 7  
Case No.: 15-72109-reg

DANIEL T. MENEZES and  
CAROLINE MENEZES,

Debtors.

-----X

**ORDER FOR RETENTION  
OF ATTORNEYS FOR TRUSTEE**

Upon the application of RICHARD L. STERN, ESQ., trustee of the above captioned estate, dated April 18, 2016, seeking an Order authorizing him to employ and retain the law firm of MACCO & STERN, LLP, as attorneys in the within proceeding, under the provisions of a General Retainer, and upon the affidavit of MICHAEL J. MACCO, a member of the firm of MACCO & STERN, LLP, stating that the said law firm has no present connection with any of the creditors, and further that they represent no adverse interest to the above estate in the matters upon which they are to be engaged, and it appearing that it is necessary for the Trustee to retain such counsel, it is

ORDERED, that RICHARD L. STERN, ESQ., Chapter 7 trustee be, and he hereby is, authorized to retain the law firm of MACCO & STERN, LLP, as attorneys to represent him in the within proceeding under a General Retainer and it is further

ORDERED, that no compensation or reimbursement of expenses shall be paid Macco & Stern, LLP for professional services rendered to the Trustee, except under a proper application and by further order of this Court following a hearing on notice pursuant to Sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, and it is further

ORDERED, that ten business days prior to any increase in Attorney's rates for any individual employed by the Attorney and retained by the Trustee pursuant to court order, Attorney shall file a supplemental affidavit with the Court setting forth the basis for the

requested rate increase pursuant to 11 U.S.C. Sections 330(a)(3)(F). Parties in interest, including the United States Trustee, retain all rights to object to or otherwise respond to any rate increase on any and all grounds, including, but not limited to, the reasonableness standard under 11 U.S.C. Section 330. Supplemental affidavits are not required for rate increases effective on or after the date the Trustee submits the Trustee's Final Report to the United States Trustee.

Dated: Central Islip, New York

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ROBERT E. GROSSMAN  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7  
Case No.: 15-72109-reg

DANIEL T. MENEZES and  
CAROLINE MENEZES,

Debtors.

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**APPLICATION FOR RETENTION  
OF ATTORNEYS FOR TRUSTEE**

TO THE HONORABLE ROBERT E. GROSSMAN BANKRUPTCY JUDGE:

The application of RICHARD L. STERN, respectfully represents:

1. That he is the Trustee herein, duly qualified and acting as such.
2. The Debtors filed a Petition under Chapter 7 of the Bankruptcy Code on May 13, 2015.
3. That applicant desires to retain MACCO & STERN, LLP, of 135 Pinelawn Road, Suite 120 South, Melville, New York 11747, as his attorneys herein.
4. That Applicant has selected said attorneys for the reasons that such attorneys are familiar with bankruptcy practice and are well qualified to act in the capacity as attorneys for the Trustee.
5. That it is necessary for Applicant to employ attorneys to render the following professional services:
  - (a) that it will be necessary to conduct examinations of the Debtor and various witnesses as to the acts, conduct and property of the Debtor herein;
  - (b) that it will be necessary to prepare numerous applications and reports, for which services attorneys will be necessary;
  - (c) that it will be necessary to conduct an investigation to discover all possible assets and to reduce same to cash.

6. To the best of Applicant's knowledge, said attorneys have no connection with the Debtor, or any other party in interest or their respective attorneys.

7. That the current billing rates for the law firm of MACCO & STERN, LLP is the sum of \$495.00 for partner's time which consists of Michael J. Macco and Richard L. Stern, \$375.00 for senior associate's time, and \$300.00 for junior associates.

8. There has been no compensation paid to the firm, nor has there been any promise of compensation.

9. That applicant has not previously rendered professional services to the Debtor.

10. That MACCO & STERN, LLP, represent no interest adverse to the Trustee or to the estate in the matters upon which they are to be engaged herein, and their employment would be in the best interests of the estate.

11. The trustee believes that it is in the interest of the estate to retain general bankruptcy counsel at this time. In the event there is a potential settlement or a need to bring on an application before the Court, counsel for the trustee will be able to do it on an expedited basis since the retention Order will already be in place.

WHEREFORE, Applicant prays for the annexed Order, for which no previous application has been made.

Dated: Islandia, New York  
April 18, 2016

/s/ Richard L. Stern

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RICHARD L. STERN  
Chapter 7 Trustee

5. That the undersigned is competent to represent the interests of the entity on whose behalf representation is now sought in all proceedings now pending or which may reasonably be expected to be pending in this Court in the foreseeable future.

6. Based on the foregoing, I believe the firm of MACCO & STERN, LLP, is a "disinterested person" within the meaning of Sections 101(14) and 327 of the Bankruptcy Code.

/s/ Michael J. Macco

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MICHAEL J. MACCO

Sworn to before me this  
18<sup>th</sup> day of April, 2016  
/s/ Jeanette Hodgins

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NOTARY PUBLIC  
Jeanette Hodgins  
Notary Public, State of New York  
No.01H0671591  
Qualified in Suffolk County  
Commission Expires March 18, 2018



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

trs5087

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In re:

Chapter 7  
Case No.: 15-72109-reg

DANIEL T. MENEZES and  
CAROLINE MENEZES,

**AFFIDAVIT OF SERVICE**

Debtors.

-----X  
STATE OF NEW YORK  
COUNTY OF SUFFOLK) ss.:

JEANETTE HODGINS, being duly sworn deposes and says: deponent is not a party to  
this action, is over 18 years of age and resides at East Northport, New York.

On April 18, 2016, deponent served the within Motion to Employ Macco &  
Stern, LLP as Attorneys for Trustee upon the following parties at the addresses  
designated by said parties for that purpose, by depositing a true copy of same,  
enclosed in a post-paid properly addressed wrapper in an official depository under the  
exclusive care and custody of the United States Postal Service within the State of  
New York:

Office of the U.S. Trustee  
Long Island Federal Courthouse  
560 Federal Plaza  
Central Islip, NY 11722

Daniel T. Menezes and Caroline Menezes  
Debtors  
143 Meadows Path  
Wading River, NY 11792

Robert L. Pryor, Esq.  
Attorney for the Debtors  
Pryor & Mandelup  
675 Old Country Road  
Westbury, NY 11590

John Menezes  
40 Seneca Drive  
Noank, CT 06340

Jeffrey B. Hulse, Esq.  
Attorney for John Menezes  
295 North Country Road  
Sound Beach, NY 11789

Synchrony Bank  
c/o Recovery Management Systems Corporations  
25 SE 2<sup>nd</sup> Avenue  
Suite 1120  
Miami, FL 33131-1605

/s/ Jeanette Hodgins

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JEANETTE HODGINS

Sworn to before me this  
18th day of April , 2016

/s/ Richard L. Stern

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NOTARY PUBLIC  
RICHARD L. STERN  
Notary Public, State of New York  
No. 02ST4665096, Suffolk County  
Commission Expires April 30, 2018

**Case No.: 15-72109-reg**  
**Chapter 7**

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF NEW YORK**

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In Re:

DANIEL T. MENEZES AND CAROLINE MENEZES

Debtors.

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**MOTION FOR RETENTION OF ATTORNEYS FOR TRUSTEE**

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RICHARD L. STERN  
Chapter 7 Trustee  
135 PINELAWN ROAD  
SUITE 120 SOUTH  
MELVILLE, NY 11747  
(631) 549-7900